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appearing *pro hac vice*
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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

TUCSON DIVISION

WILDEARTH GUARDIANS,)	
)	
Plaintiff,)	
)	No. 13-151-RCC
vs.)	
)	
UNITED STATES FISH AND WILDLIFE)	STIPULATION TO
SERVICE and UNITED STATES FOREST)	MODIFY INJUNCTION
SERVICE,)	
)	[Expedited consideration requested]
Defendants.)	
_____)	

The parties to this action hereby stipulate to a further modification of the Court's September 12, 2019 injunction in this matter that "timber management actions in Region 3 national forests must cease pending formal consultation." ECF Doc. No. 89 at 39. The parties respectfully request that the Court approve this stipulation and enter it as Order of the Court.

Currently pending before the Court are the Federal Defendants' Motion to Alter the Court's Decision and to Clarify or Modify the Court's Injunction and the Federal Defendants' motions to dissolve the injunction. ECF Docs. Nos. 104, 112, 126. Pending the Court's resolution of these motions, the parties agree and stipulate that the timber management activities specifically identified on Attachment 1 and Attachment 2 to this Stipulation should be permanently excepted from the Court's injunction. The projects enumerated on Attachment 1 are outside of Mexican spotted owl critical habitat and Recovery Habitat. Insofar as the Attachment 2 projects are concerned, the parties stipulate only to implementation of those portions of those projects that are outside of Mexican spotted owl critical habitat and Recovery Habitat.

The parties further stipulate that their execution of this stipulation is intended solely to achieve the prompt release of the above projects from the current injunction in this case. By executing this stipulation, the parties do not concede or compromise any claim or defense set out in or arising from the Federal Defendants' currently pending motions. Rather, this stipulation is a memorialization of the parties' limited agreement with respect to the specifically enumerated projects set out on Attachment 1 and Attachment 2 hereto.

Dated: July 22, 2020.

Respectfully submitted,

For the Plaintiff:

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Stipulation to Modify was served on counsel of record on July 22, 2020 through the Court's electronic CM-ECF system.

/s/ Steven Sugarman
Steven Sugarman